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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,879	12/13/2004	Jean-Noel Audoux	09669/042001	1339

22511 7590 10/31/2006

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EXAMINER

FRANKLIN, JAMARA ALZAIDA

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/517,879

Applicant(s)

AUDOUX ET AL.

Examiner

Jamara A. Franklin

Art Unit

2876

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Acknowledgment is made of the amendment filed on September 14, 2006. Claims 1-5 are currently pending.

The indicated allowability of claims 1-5 is withdrawn in view of the newly discovered reference(s) to Linsenbardt, McCullough, and Juan. Rejections based on the newly cited reference(s) follow.

Claim Objections

1. Applicant is advised that should claim 3 be found allowable, claim 4 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

2. Claim 2 is objected to because of the following informalities:

in claim 2, line 2, insert --a-- between "on" and "reel".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Linsenbardt et al (US 5,904,953) (hereinafter referred to as 'Linsenbardt').

Linsenbardt teaches:

a method of manufacturing a tape to which a plurality of elements are affixed by means of a glue in a solid state, the method comprising a gluing step, in which elements are glued to a basic tape by means of a glue in a liquid state so as to obtain a glued tape, the method being characterized in that the gluing step is followed by:

a winding step in which the glued tape is wound while the glue is in a state between the liquid state and the solid state, so as to obtain a winded glued tape (col. 1, lines 44-48); and

a heating step in which the winded glue tape is heated so that the glue reaches the solid state (col. 1, lines 44-48).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Linsenbardt in view of McCullough et al. (US 5,403,395) (hereinafter referred to as 'McCullough').

The teachings of Linsenbardt have been discussed above.

Linsenbardt lacks the teaching of a reel made of composite material.

McCullough teaches a reel made of composition material (col. 8, lines 48-58); and wherein the reel is made of fiberglass impregnated with epoxy resin (col. 8, lines 48-58).

One of ordinary skill in the art would have readily recognized that providing the Linsenbardt invention with a reel made up of composite materials would have been beneficial to possibly make a strong and reliable reel which is also cost-efficient for manufacture, thereby helping to cut the overall costs of manufacture of the tape. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Linsenbardt with the aforementioned teaching of McCullough.

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8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Linsenbardt in view of Juan et al. (US 4,835,846) (hereinafter referred to as 'Juan').

The teachings of Linsenbardt have been discussed above.

Linsenbardt lacks the teaching of semiconductor devices, the teaching of a cutting step, and the teaching of an embedding step.

Juan teaches a method of manufacturing a smart card characterized in that the method comprises:

semiconductor devices glued to a basic tape (col. 8, lines 32-34);

a cutting step in which the tape is cut so as to obtain modules (col. 8, lines 32-34); and

an embedding step in which a module is embedded in a cardbody so as to obtain a smart card (col. 8, lines 32-34).

One of ordinary skill in the art would have readily recognized that providing the Linsenbardt invention with a semiconductor device, a cutting step, and an embedding step would have been beneficial since all of the aforementioned are crucial in the manufacture of a smart card and all together act as a efficient and common means for manufacture. Therefore, it would have been obvious, at the time the invention was made, to modify the teachings of Linsenbardt with the aforementioned teaching of Juan.

Conclusion

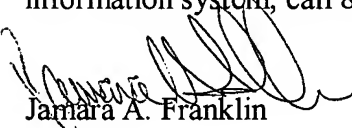
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamara A. Franklin whose telephone number is (571) 272-2389.

The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

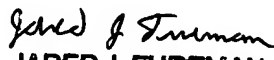
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Jamar A. Franklin
Examiner
Art Unit 2876

JAF
October 18, 2006


JARED J. FUREMAN
PRIMARY EXAMINER